



LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT

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October 09, 2012

The Honorable Board of Directors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

ADOPTED

REGIONAL PARK AND OPEN SPACE DISTRICT

2-P October 9, 2012

Sachi A. Hamai
SACHI A. HAMAI
SECRETARY

Dear Directors:

**ALLOCATE SPECIFIED EXCESS FUNDS
AVAILABLE TO THE SECOND SUPERVISORIAL DISTRICT
TO THE DEPARTMENT OF PARKS AND RECREATION;
AUTHORIZE AWARD AND ADMINISTRATION OF AN EXCESS FUNDS GRANT AND
AUTHORIZE ADVANCE OF FUNDS UNDER SPECIFIED CONDITIONS
TO THE BALDWIN HILLS REGIONAL CONSERVATION AUTHORITY
FOR BALDWIN HILLS ACQUISITION AND DEVELOPMENT
(SECOND DISTRICT) (3 VOTES)**

SUBJECT

The recommended actions will allocate \$3,274,380 in Specified Excess Funds to the Department of Parks and Recreation for the acquisition of land and development of related recreation facilities and public access in the Baldwin Hills, authorize the Director of the Los Angeles County Regional Park and Open Space District to award a grant amendment after the County assigns the right to apply for funds to the Baldwin Hills Regional Conservation Authority, and authorize an advance of \$3,274,380 of Specified Excess Funds to the Baldwin Hills Regional Conservation Authority.

IT IS RECOMMENDED THAT THE BOARD:

1. Find the proposed project categorically exempt from the California Environmental Quality Act because the project consists of acquisition of land to preserve open space or lands for park purposes for the reasons stated herein and reflected in the record of the Project.
2. Allocate Specified Excess Funds available to the Second Supervisorial District in the amount of \$3,274,380 to the Department of Parks and Recreation for the acquisition of land and for development of related recreation facilities and public access in the Baldwin Hills.

3. Authorize the Director of the Department of Parks and Recreation, in his capacity as Director of the Los Angeles County Regional Park and Open Space District, to award a grant amendment after the County assigns the right to apply for funds to the Baldwin Hills Regional Conservation Authority, and when applicable conditions have been met, and to administer the grant as of the date of the award and pursuant to guidelines in the Procedural Guide for Specified, Per Parcel, and Excess Funds Projects otherwise funds shall remain in the Excess Funds account.

4. Authorize an advance of \$3,274,380 of Specified Excess Funds available to the Second Supervisorial District to the Baldwin Hills Regional Conservation Authority, in the same manner and on the same conditions as previously approved by your Board for the advance of funds from the Safe Neighborhood Parks Proposition of 1996 to the Baldwin Hills Regional Conservation Authority.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will allocate \$3,274,380 in Specified Excess Funds available to the Second Supervisorial District to the Department of Parks and Recreation (Department) for acquisition of lands for park, wildlife, natural and open space purposes, and for development of related recreation facilities and public access in the Baldwin Hills, authorize the Director of the Los Angeles County Regional Park and Open Space District to award a grant amendment after the County assigns the right to apply for funds to the Baldwin Hills Regional Conservation Authority (Authority), and authorize an advance of \$3,274,380 of Specified Excess Funds to the Authority.

In a related item on today's agenda, the Department of Parks and Recreation, which is a designated recipient of Specified Excess Funds for projects under the 1996 Proposition, is requesting that your Board, in its capacity as the County's Board of Supervisors, assign the right to apply for the funds to the Authority.

It is also recommended that the Director of the Department (Director) be authorized to award the grant amendment and advance the funds to the Authority when applicable conditions have been met, such as grantee qualifications, consistency between the projects and requirements of the 1996 Proposition and grantee agreement with the California Environmental Quality Act requirements for the project, and to administer the grant under procedures previously approved by your Board.

Implementation of Strategic Plan Goals

The proposed recommendations further the Board approved County Strategic Plan Goals of Operational Effectiveness (Goal 1) and Integrated Services Delivery (Goal 3), by enhancing recreational opportunities in the Baldwin Hills area of the Second District.

FISCAL IMPACT/FINANCING

Sufficient appropriation is available for the advance to the Authority, in the amount of \$3,274,380, from the Second Supervisorial District portion of the Los Angeles County Regional Park and Open Space District (District) Excess Funds Project Fund (HD6).

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On April 27, 1999, the Los Angeles County Board of Supervisors authorized the formation of the Authority and assigned to the Authority the right to apply to the District for a maximum of \$8,250,000

allocated to the County under Section (3), Subsection (b), Paragraph (2) of the 1996 Proposition. On October 19, 1999, your Board authorized that those funds be advanced to the Authority, subject to the Procedural Guide for Specified, Per Parcel, and Excess Funds Projects (Procedural Guide) adopted by your Board on June 2, 2009, on the conditions that those funds and any interest thereon be used for the specified project, acquisition of lands for park, wildlife, natural and open space purposes, and development of related recreation facilities and public access in the Baldwin Hills, and that any documentation normally required for reimbursement by the District will still be required prior to any expenditure of the advanced funds.

Any interest earnings on the funds advanced are allowed to be spent for acquisition, development, improvement, rehabilitation and/or restoration in the Baldwin Hills as specified in the 1996 Proposition and governed by the Procedural Guide. The Project Agreement requires that the Authority maintain the advanced funds in an account separate from any other funds and that the Authority provides the District with quarterly status reports which include a detailed description of all activity of that account. Any documentation, normally required by the Procedural Guide to be submitted to the District prior to the receipt of District funds, are required to be submitted to the District prior to expenditure of funds from the advanced funds account.

The Authority has in the past, and expects to examine a variety of acquisition and development options to carry out its purposes, and requests that it be authorized to continue:

- to expend the grant funds and interest earnings on acquisitions as allowable acquisition costs;
- to be allowed to pay for pre-construction and pre-acquisition (e.g., planning and preparation of cost estimates) costs on projects undertaken but not completed with these funds, in an amount not to exceed 20 percent of the 25 percent of the grant that is available for non-construction and/or non-acquisition costs; and
- because the Authority does not have staff or other resources needed to carry out a program of community involvement in the planning process, which it considers vital to the success for projects in the Baldwin Hills, it requests that the costs of providing public information be eligible for District funding. Any such expenditures will be incurred against the 25% of the grant available for non-construction and/or non-acquisition costs.

The 1996 Proposition provides a method for determining, each fiscal year, the amount of funds available in the following fiscal year to fund capital improvement projects in addition to the amounts specifically identified for projects in the Safe Neighborhood Parks Propositions of 1992 and 1996. The recommended grant would be funded from the Excess Funds available to the Second Supervisorial District from Specified Excess Funds.

The Board may establish additional conditions on grants of Excess Funds. The Director would be authorized to award grants when all applicable conditions have been met. Any funds allocated by the Board, but not encumbered by award of a grant contract in the same fiscal year, shall be available for allocation by the Board in the following fiscal year.

Your Board approved a Procedural Guide on June 2, 2009, to govern the administration of the District grants. This Procedural Guide would appropriately govern the administration of the recommended additional grant as well.

ENVIRONMENTAL DOCUMENTATION

All public agency projects funded by the Los Angeles County Regional Park and Open Space District

(RPOSD) are required to comply with the California Environmental Quality Act (CEQA). The lead agency is responsible for preparing the appropriate environmental documentation for the project. The Baldwin Hills Regional Conservation Authority is the lead agency for this project. The proposed project is categorically exempt from CEQA according to Section 15325 (f) of the State CEQA Guidelines and Class 25 of the County's Environmental Document Reporting Procedures and Guidelines, Appendix G, because the proposed project consists of acquisition of land to preserve open space or lands for park purposes.

CONTRACTING PROCESS

A Grant Project Agreement Amendment will be entered into and administered under authority delegated to the Director and pursuant to the Procedural Guide approved by the Board on June 2, 2009 only if all applicable conditions of the grant have been met. The Project Agreement Amendment will be approved as to form by County Counsel.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The recommended advance of funds will provide for the acquisition and/or development of land in the Baldwin Hills area in the Second Supervisorial District.

CONCLUSION

Please instruct the Executive Officer-Clerk of the Board to return one adopted copy of this action to the Chief Executive Office, Capital Projects/Debt Management Division, and to the Department of Parks and Recreation.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Russ Guiney", is written over a light blue horizontal line.

RUSS GUINEY

Director

RG:IV:LB

c: Chief Executive Office
County Counsel
Executive Office, Board of Supervisors